

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:18-CV-00150-RJC-DSC**

JARED MODE,

Plaintiff,

v.

**S-L DISTRIBUTION COMPANY, LLC. ,
et al.,**

Defendants.

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ORDER

THIS MATTER is before the Court on the “Consent Motion to Extend Time to File Amended Counterclaims and Additional Third-Party Complaints, to Answer Counterclaims and Third-Party Complaints, Toll Statute of Limitations, and Provide for Waiver of Service” (document # 144) filed March 20, 2019. For the reasons set forth therein, the Motion will be granted.

The Court ORDERS:

1. Within twenty-one days of the conclusion of the FLSA notice period, Defendants will file an Amended Answer and Counterclaims to add additional opt-ins as Counterclaim Defendants, and file additional Third-Party Complaints against the corporate entities associated with opt-ins who have joined or will join the case subsequent to the fourteen day period provided for in Federal Rule of Civil Procedure 14 (i.e., after June 12, 2018);

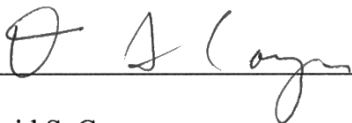
2. Plaintiffs will make all reasonable efforts to secure the consent of Third-Party Defendants to waive service of additional Third-Party Complaints;

3. Plaintiffs will answer the Amended Counterclaims within twenty-eight days of the date they are filed, and Third-Party Defendants will answer the pending Third-Party Complaints (Dkts. 26-47. 52-56) and additional Third-Party Complaints filed after the conclusion of the notice period for which service is waived within twenty-eight days of the date they are filed, regardless of whether a Third-Party Defendant waives service of a Third-Party Complaint; and

4. Any statute of limitations applicable to Defendants' Counterclaims and Third-Party Complaints will be tolled until twenty-one days after the conclusion of the FLSA notice period.

SO ORDERED.

Signed: March 21, 2019



David S. Cayer
United States Magistrate Judge

